



# Memorandum

United States Bankruptcy Court  
Eastern District of Virginia

## PUBLIC NOTICE

**FROM:** William C. Redden, Clerk of Court

**DATE:** November 9, 2000

**SUBJECT:** Establishment of Register to Maintain Mailing Addresses Provided for by  
Federal Rule of Bankruptcy Procedure 5003(e), Effective December 1, 2000

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### 1. Introduction and Background Information

Federal Rule of Bankruptcy Procedure (F.R.Bankr.P.) 5003(e), which becomes effective December 1, 2000,<sup>1</sup> permits the United States and the state in which the court is located (Commonwealth of Virginia), to file statements designating safe harbor mailing addresses for notice purposes. The amendment to F.R.Bankr.P. 5003 requires the clerk of court to maintain a register of these mailing addresses. Failure of a debtor, the attorney for a debtor and other parties to use a mailing address maintained in the register does not invalidate any notice that is otherwise effective under applicable law. It is anticipated that the register will be available to the public: (a) on the Court's Internet web site home page under Local Rules; (b) on the Court's public access terminal personal computers located in the Alexandria, Newport News, Norfolk and Richmond divisions of the Court; and (c) in hard copy registers maintained at the aforesaid divisions of the Court.

### 2. Requirements for the Filing of Register Statements

To the extent that the United States or the Commonwealth of Virginia elects to file a statement designating a mailing address(es) for entry in the register, the following procedures must be followed and points of information noted:

- a. The statement must be on the letterhead of the requesting department, agency or instrumentality of the United States or the Commonwealth of Virginia.
- b. The statement must include the designated mailing address to be entered in the register. Only valid mailing address information, excluding telephone numbers and e-mail addresses, will be maintained in the register.
- c. If more than one designated mailing address is filed for entry into the register, the requesting department, agency or instrumentality of the United States or the Commonwealth of Virginia must include information so that a person using the register could determine when each address should be used. The inclusion of more than one designated address for a particular department, agency or instrumentality does not

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<sup>1</sup> While considered unlikely, Congress may determine that this rule will not be made effective on December 1, 2000.

impose on a person sending a notice the duty to send it to more than one address.

- d. It is not the responsibility of the clerk of court to solicit the filing of statements from the United States or Commonwealth of Virginia.
- e. Under F.R.Bankr.P. 5003(e), the clerk of court is required to “update the register annually, effective January 2 of each year.”
- f. It is not the responsibility of the clerk of court to update the mailing addresses for any particular department, agency or instrumentality of the United States or Commonwealth of Virginia in individual cases and proceedings within cases. The filing of a statement for inclusion of a mailing address(es) in the register is limited to the register only and will not cause any such mailing address(es) to be placed within the court records for individual cases or proceedings in cases for notice purposes.
- g. The statement must be filed with the clerk of court, either by mail to:

Rule 5003(e) Register  
c/o Richard G. Napoli  
U.S. Bankruptcy Court  
1100 East Main Street, Room 310  
Richmond, VA 23219-3515

or, in person, at the Alexandria, Newport News, Norfolk or Richmond divisions of the Court.

- h. It is anticipated that the register will be available to the public by January 2, 2001.